

FULL COUNCIL MEETING MINUTES
February 19, 2018 - 1:30 PM
STATE COUNCIL FOR PERSONS WITH DISABILITIES
Felton-Farmington Conference Room, DelDOT Building, Dover

PRESENT

Jamie Wolfe, Chair; Daniese McMullin-Powell, Vice-Chair; Gene Aucott, Easter Seals; Moni Edgar, CAP-UCP; Nick Fina, Advocate; Terri Hancharick, EPIC; Bonnie Hitch, DART; Jocelyn Langrehr, DOL/DVR; Dale Matueseovich, DOE; Pat Maichle, DDC; Michelle Morin, Office of Supplier Diversity; Ann Phillips, DE Family Voices/Parent; Loretta Sarro, DOL/DVR DODHH; Lloyd Schmitz, Council of the Blind/EFOC; Wendy Strauss, GACEC; Meredith Tavani, DSCYF/DPBH; John McNeal, Staff; Amber Rivard, Support Staff; and Jo Singles, Support Staff.

GUESTS

Victoria Counihan, DOJ/AG
Renee Kohl
Bill Powell
Amber Murphy
Abby Stewart, Embrace

Interpreters: Ruth Fisher, Heather U.

CALL TO ORDER

Jamie called the meeting to order at 1:34 pm. Everyone introduced themselves.

ADDITION OR DELETIONS TO THE AGENDA

- Propose legislation on participation in Council meetings (Lloyd)

APPROVAL OF MINUTES

Pat attended the January 22nd meeting. Daniese asked for clarification (page 3; last paragraph): Victoria commented that the Policy & Law Committee has taken on the role of directing and advocating. Revision: Policy & Law has been delegated the role of directing and advocating for the Council. Pat made a motion to approve the January 22, 2018 meeting minutes as amended. Dale seconded the motion. The January 22nd meeting minutes were approved as amended with no one abstaining or opposing.

BUSINESS

SCPD Retreat

Jamie spoke about discussions with John about having a one-day retreat for Council members. John has asked Rita Landgraf to facilitate and she agreed. John said that funds are available to pay for an event in this fiscal year. John hopes to have a retreat during the summer months. The purpose is to refocus on the Council's objectives since we have new members and a new Director. We need to establish goals and expectations, and to reenergize. Wendy suggested checking on Rita's availability first and then send out a doodle poll. Nick said he was very much in favor of a retreat. He thought there could be a positive outcome from this type of event, especially if we get membership resolved by then. He also said that we may want to invite several legislators to our Council meetings so they get a sense of who we are and what is important. Hopefully, they would be able to speak on our behalf in the General Assembly and move our agenda forward.

Locations discussed were the Duncan Center, Dover Downs, Buena Vista, Grass Dale, St. Jones Center (near Dickinson Mansion), and the Hilton Garden Inn. Other places suggested: Modern Maturity Center, Cheer (Georgetown), Lewes Senior Center, Delaware Tech (Dover) and Paradee Center. Nick suggested having breakout rooms depending upon what comes out of the discussion with Rita.

HR 620 – ADA Education & Reform Act

Daniese spoke about this federal legislation. She explained that the obligation is on the victim and not the perpetrator. This legislation amends the ADA, mostly Title III, and makes it much more difficult to sue for discrimination. Daniese noted that ADA has been in place for almost 28 years. This legislation recently passed the House with 225 voting for and 192 against. Daniese referred to a news article (handout). This legislation would require that the person being discriminated against has to cite the ADA law and give specific details why there is no access at a business according to the ADA law. There is also a delay before the person can sue. Daniese noted that the ADA is a civil right. John spoke about the increased number of lawsuits in certain states that has happened recently. He noted that one person in Arizona sued 300 businesses. This legislation will be going to the Senate. Pat noted that Delaware's federal legislators (Carper-Coons-Rochester) supports our position on this. Pat suggested that this is a good opportunity to provide education to our legislators. She suggested the following national groups for information: National Council on Disability, CCD, Disability Rights Network, and AARP. Pat also said that this legislation is far reaching and affects people with autism, diabetes, cerebral palsy, epilepsy, HIV, multiple sclerosis and persons in wheelchairs and many other groups.

Pat made a motion that the Council provide educational information to our legislators saying that we know they support our position, but want to ensure that they understand the magnitude of this issue at this point in time. Lloyd seconded the motion. Motion was approved with no one opposing or abstaining. Daniese suggested using the words "actively advocate" or "strongly

advocate”. John recommended that individuals could contact the legislators directly and could forward information to family and friends on Facebook. The letter will also be shared on the Council’s website and Facebook page. John commented that he will also write a letter as the ADA Coordinator.

Reports of Committees/Commission/Working Groups

- Employment First Oversight Commission – Lloyd commented that the last meeting was cancelled because there was no quorum. The Annual Report is being finalized. There are some legislative changes that we want regarding the make-up of the Commission. Lloyd encouraged individuals with disabilities to participate in these meetings.
- Executive Committee – Jamie spoke about the meeting held earlier today. She spoke about an upcoming retreat for SCPD members with Rita Landgraf facilitating. Lloyd stated that we want get legislation sponsored so that persons with disabilities can participate and vote by telephone during Council/Committee meetings. He added that currently the person has to be seen via videoconferencing or in person. Nick suggested writing a Position Paper for all three Councils (SCPD, DDC and GACEC) that lays out the issues so that these Councils can fulfill their responsibilities. John said that the scope could be broader and include all Councils. Pat agreed and said that this will give access to all persons with disabilities throughout the state who want to attend meetings.

Victoria offered to draft the legislation to ensure that it is in the correct format if given the details. Victoria suggested speaking with some legislators to see what they would be willing to support, either broader or as a two-step process. Pat added that it is always better to have a document to bring to the legislators. Victoria stated that the State Use Law Commission and the Banking Commission have exceptions to the face-to-face requirement.

After much discussion, Lloyd made a motion that Victoria and John develop the language that would enable individuals with disabilities to participate in Boards and Commissions with all the rights and responsibilities as a member of that Board and Commission via the telephone. Pat seconded the motion. The motion was approved with no one opposing or abstaining.

- Brain Injury Committee – Dale commented that the DOE is using this Committee to be the stakeholder group as they revise the 925 Special Ed regulations around eligibility for a person who has a traumatic brain injury. There will be further discussion at the next meeting.
- Policy & Law Committee – Daniese explained that Laura has replaced Brian. She added that an analysis of legislation and regulations affecting Delaware is reviewed. Then a vote takes place. Letters are then sent to legislators or agencies based on the vote and discussion. The next meeting is Thursday, March 8th at Smyrna Rest Stop Conference Room. John plans to have copies of the analysis and letters available at the next meeting.

- Housing Committee – Daniese stated that this Committee meets every other month. The next meeting is March 13th and will be held at the Smyrna Rest Stop. Daniese is not sure if she will be able to attend due to other commitments. She commented that we are looking for more members, especially persons with disabilities. DSHA and DSAAPD are represented. There have been discussions about having a summit in the summer. She commented that we need to do more advocating. This Committee is also under the Governor’s Commission on Community Based Alternatives. We want to make sure that the State stays in compliant with Olmstead and the Supreme Court decision. John noted that there have been numerous changes in leadership with the Public Housing Authorities so there needs to be a re-education of the importance of participating in meetings. Daniese attended the JFC Hearing on Housing last week. The DSHA receives \$7M a year from the State, with \$4M for the housing fund and \$3M going to maintain the SRAP (State Rental Assistance Program), which assists people with disabilities obtain housing.
- Deaf & Hard of Hearing Work Group – Loretta spoke about a meeting held last week. They reviewed and modified the Mission Statement. Peg will be contacting a lawyer to review it. There will be opportunity for public feedback. A video will be made (in ASL and captioning) so everyone gets the same message. Peg Stewart is willing to do a presentation on the interpreter regulation to the Council. John added that the home for the Interpreter Registry still needs to be confirmed. Victoria asked if the Council or another agency will be publishing these regulations. John commented that we will have to see what the group wants. Loretta explained the background of CODHHE (Council on Deaf & Hard of Hearing Equality) and how it transitioned into a working group with a focus on interpreting issues. This working group has worked on interpreter regulations for about three years and we need to take action. Research was done through RID (Registry of Interpreters for the Deaf). We also looked at Pennsylvania’s legislation and modified to fit for Delaware. There are 20-30 certified interpreters in Delaware with national recognition. Victoria added that there is a Board of Professional Regulations. Victoria offered to attend a future meeting or review the document before there is a final draft. Loretta stated that interpreters are certified (not licensed) and that there is a list of certified interpreters. Loretta will email Peg about attending the next SCPD meeting. Michelle commented that there are two State Contracts in regard to interpretation (foreign language and ASL) and ASL is in Year 1 of a two-year term with a potential of five full years. She asked that we consider the impact on the existing State Contract. She suggested that Courtney McCarty be included. Loretta commented that this has already been discussed with her.
- Home & Community-Based Work Group – No updates since we did not meet this month.

Other Business

None

ANNOUCEMENTS

Jocelyn spoke about a Career Pathway Conference on March 21st at the Wilmington Riverfront. They hope to get eighth grade students involved this year. The Conference is all day and the Expo is from 4pm–7pm. Jocelyn added that over 900 people attended last year and they hope to get 1,000 this year. If anyone wanted additional information, they can google Delaware Pathways.

Nick asked if someone knows a person who has a brain injury as a result of a gunshot to contact him directly. He is working on a project that may possibly turn into a documentary film.

Bonnie spoke about several job openings at DTC (Delaware Transit Corporation), including auto technicians and service technicians. These positions include the State Health Benefit package. The Dental Benefits and Pension are different. Additional information can be found on their website: <https://www.dartfirststate.com>.

PUBLIC COMMENT

None

ADJOURNMENT

Jamie made a motion to adjourn. Pat seconded the motion and the motion was approved. The meeting was adjourned at 3:11 pm.

Respectfully submitted,

Jo Singles
Administrative Specialist

SCPD/min/feb18